

**REMARKS/ARGUMENTS**

Pursuant to the requirement for restriction, the applicant confirms the telephonic provisional election of the examiner's Group II, Claims 5 through 13, without prejudice to the applicant's right to file a divisional or continuing application for the non-elected subject matter.

Claims 1 through 4 and 14, directed to a subcombination and withdrawn from consideration have been rewritten in dependent form and now should be included in the examiner's Group II for the combination.

Claim 5 has been amended to emphasize the significant differences between the claimed invention and the cited prior art.

Reconsideration of the rejection of Claims 5 through 8 and 12 as unpatentable over Coleman, GB 1,408,575 in view of Jauch et al. and Astill is respectfully requested.

Initially, it is noted that the applicant's invention is a vehicle display lift for elevating a vehicle to a highly conspicuous location and rotating the vehicle to display its appearance for enticing the car buying public to attend a sealer's premises. The prior art relevant to this essential function and utility is exemplified by Barnes et al., patent 5,015,146, to which the examiner's attention has previously been drawn.

Contrasted with this is Coleman, GB 1,408,575, which teaches a vehicle rotator for use in a domestic driveway. The essential function and utility in Coleman is to allow a driver to allow a vehicle to be turned 180° without resorting to a multi-point turn in a confined space or backing out of the location where the vehicle is parked.

Jauch et al. teaches a vehicle service lift. The essential function and utility of this device is raising a vehicle to provide service access to its underside.

Astill discloses a rotatable stand that may be used to display vehicles. This is a ground level rotator that would typically be used in a showroom or at a car show.

It is respectfully submitted that Coleman and Jauch et al. are non-

analogous art with respect to the present invention. Furthermore, Jauch et al. and Astill are from arts that are non-analogous with respect to Coleman or with respect to each other.

The only independent claim now under consideration, Claim 5, is directed to the a vehicle display lift and rotator combination. The examiner expresses the view that it would have been obvious to replace the bolt holes 23 in the base plate of the Coleman "turn-around device" or rotator with the column of Jauch et al. It is respectfully disagreed. There is nothing in either reference or any of the prior art of record to suggest the proposed modification, a suggestion that must be present to sustain the obviousness rejection presented in the official action (M.P.E.P§ 2143.01). The modification is proposed to be obvious "because the respective mounts are known equivalent support means that perform the same function in the same organization to produce the same results". With all due respect, this statement is wrong on each and every count. Note first that the Jauch et al lift column is nowhere in any of the art suggested to be a "known equivalent" of Coleman's simple base plate 21, which may be bolted to the ground. The column and the base plate do not "perform the same function" as alleged. Coleman's base plate simply supports his rotator on the ground so that a vehicle on the rotator may be "swung or rotated about a vertical axis to bring the vehicle to a position facing opposite to that in which it was driven onto the device". This is intended "for installation in the driveway of a domestic dwelling house or other restricted location" so that the driver will not have to back up. In Jauch et al., the column is "imbedded in the ground" and serves to elevate a vehicle above the ground surface for servicing purposes. Precautions are taken (plunger 94, casing 96) to ensure that rotation can be prevented. This is, of course important for safety reasons when the vehicle is raised for servicing from below. The Coleman "organization" is a domestic driveway rotator. Jauch et al.'s "organization" is a service lift. As to results, the Coleman base plate provides the rotator with stability, with bolts, where used, holding down the base on the ground surface to prevent undesired movement, while the

Jauch et al. column is "imbedded below the ground surface so that the hoist may be lowered to ground level and raised above it for use.

It is further noted that the proposed modification of Coleman with Jauch et al. would produce a device that would be unsuited to the intended purposes of either device, and therefore not "obvious" (M.P.E.P. §2143.01). Coleman teaches a ground level rotator for domestic driveways. The vehicle support is freely rotating. Adding Jauch et al.'s lead screw lift mechanism would lead to uncontrolled rotation of the raised vehicle, something that would be completely unacceptable in the "restricted location" environment addressed by Coleman.

The proposition that the further modification of Coleman to include Astill's rotating drive would have been obvious is again contrary to the teachings and basic purpose of Coleman, a device that is intended to have one orientation for driving on and another, rotated 180° from the drive-on orientation, for driving off. To make this device rotate continuously as taught by Astill would be to make it useless for its intended purpose, a rotator for use where backing out of a driveway is a problem. To provide a system that required driving on to or off of a continuously rotating platform would not be useful or obvious. Clearly, no service lift would benefit from a system that continuously rotated a raised vehicle, making it impossible to actually service the vehicle, rendering the lift unusable for its intended purpose.

Reconsideration of the rejection of Claims 9 in further view of Kendrick or Weaver is respectfully requested.

Kendrick discloses a "lift" that tilts an automobile to one side. Why anyone would use this to modify Coleman is unclear. Even less clear is how one could execute the proposed modification.

Weaver teaches a service lift that "descends to or below the floor level". While The patent does propose the tilting to one side of a raised vehicle, it is not at all clear how the Weaver tilting mechanism could be grafted on to the Coleman rotator, either before or after its proposed modification with Jauch et al.

Reconsideration of the rejection of Claims 10 and 13 as unpatentable over Coleman in view of Jauch et al. and Astill and in further view of Ackerman is respectfully requested.

Ackerman discloses an hydraulically operated service lift and does not overcome the deficiencies of the other references.

Reconsideration of the additional rejection of Claims 5,10 and 11 as unpatentable over Stukenborg in view of Astill and Coleman is also respectfully requested.

Stukenborg discloses a vehicle service lift that is non-analogous art with respect to the present invention. While it is proposed that Stukenborg "shows the claimed apparatus except for an explicit disclosure of the recited conventional bearings and drive means for the rotatable vehicle support structure", it is clear that Stukenborg does not. Referring to claim 5, as amended, Stukenborg does not disclose:

A "vehicle display lift and rotator". he disclosed apparatus is a service lift.

A base, a platform and a bearing between the base and the platform, mounting the platform on the base for rotation about an upright rotator axis. In Stukenborg, the superstructure is mounted on the top end of a piston and the piston "rests on the surface of the oil in the cylinder". This configuration is of great importance to Stukenborg, where the complete unit is intended to be self-contained with a "superstructure ... that can lie substantially flat on the ground surface."

A base mounting column mounting the base on the ground. Thus, in the applicant's system the column does not rotate, but supports a fixed base, which is, like the bearing, finds no equivalent in Stukenborg.

A rotator drive for rotating the platform on the base in the raised position of the column. This is of importance as the combination of base, platform and bearing as claimed allows the use of an effective platform rotor while minimizing the rotating mass and allowing simplification of the various components, including the rotor drive and the column raising apparatus.

The proposal that it would have been obvious to modify Stukenborg by adding Coleman's bearing is clearly untenable as it would require a complete reconstruction of Stukenborg to include a number of additional components which, according to the teachings of Stukenborg are not required and would, in any case be contrary to his teaching of a superstructure that will lie flat on the ground surface.

The proposed modification of Stukenborg with Astill is again unobvious because there is no rational motivation to make a service lift rotate continuously, because the modification would require a complete reconstruction of the basic device in ways that would defy the teachings of the basic reference, and because the modified device would be useless for its intended purpose (a continuously rotating service lift could not be used as a service lift).

It is respectfully submitted that this application is now in condition for allowance and early notification to that effect is earnestly solicited.

Respectfully submitted,

MICHAEL KOZAK

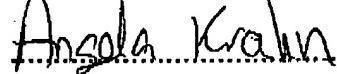
  
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